

A Memorial of Judicial Wrong.
So far as we can recollect, we have not heretofore found occasion to commend any act of JOHN L. DAVENPORT; but we are glad he has written the work which he has just published on election frauds in this city, because it tends to perpetuate the memory of a great judicial wrong which ought not to be forgotten.

Under these circumstances the invariably practiced had been to allow a defendant to plead over, as it is called, on the merits. That is, to be tried upon the question of fact as to whether he was guilty or not guilty of the offence with which he was charged. But NOAH DAVIS was now District Attorney and LEWIS B. WOODRUFF was Circuit Judge, and neither had any regard for precedents in favor of persons' rights. A motion was made for judgment against the prisoner on the demurrer, and it was granted by Judge WOODRUFF. The amazement of the community, a man was sentenced to imprisonment upon the simple decision of a question of law. He wrote to his contention, without being permitted afterward to defend himself upon the merits.

"In every case, in any court of the United States where a demurrer is interposed to an indictment, or any other count thereof, or, to any information, and the demurrer is overruled, the judgment shall be entered upon the verdict, and thereupon a trial may be ordered, and the continuance may be ordered, at the discretion of the court, and justice may require."

The technical term respondent ousted is used in this section means, let him—that is, the defendant—answer over; and the law thus secures to every accused person a right to be tried on the merits in the Federal courts, although he may first have de- murred to the charge against him as insufficient in law. Until Judge Woodbury's time it had proved safe to trust the Judiciary to allow the demurrer to be withdrawn in such cases and a plea of not guilty to be interposed instead, but his action shows that so important a right could no longer be confided to Judicial discretion.

Mr. Gladstone and the Irish Land Law.

In order to appreciate the new Land bill which Mr. GLADSTONE is pledged to introduce, it will be indispensable to keep in view precisely what was done and left undone by his previous effort in the same direction. The Land act of 1870 was hailed with a good deal of enthusiasm, and it has certainly improved, to some extent, the position of the tenant. There is all the more need of pointing out the defects in principle or in practical working which have caused it, on the whole, to disappoint expectation.

As regards compensation for improvements, the law allowed landlords to contrast themselves out of this provision in all cases where the rest of a holding exceeded 32 acres. It appears that this privilege has almost always been exercised. In the case of smaller holdings, the tenant is entitled to obtain compensation on eviction, but to prove and register improvements in the county courts, which were clothed by the act with certain functions, and designated in their new capacity as the Land Estate Tribunals. These tribunals were composed of tenants, as a class, have any representatives whatever in these tribunals, whose members are drawn exclusively from the landowning and professional classes. One of the most reasonable claims now urged is that, where the tenant is a farmer, or a tradesman, or a business, an adequate compensation for his losses should be conceded to the tenants.

The weakest feature of the Land act was unquestionably that purporting to make

pected, formal report of the fact and measure. The bill, however, is not a simple measure, which contemplates simply a renovation of the relations between landlord and tenant. To it and to all legislation founded on it—including the three FAs, which are merely thoroughgoing applications or extensions of its essential principles—M. PARNELL is violently opposed. He wants to abolish landlords altogether; and to only parts of the GLADSTONE act which he deems worthy of attention, as those which he has added by way of afterthought, and which are known as the BRIGHT clause. These recognize the advantages of increasing the number of proprietors by converting occupants into owners. For this purpose they provided that the Government should lead to a tenant purchasing his holding in agreement from his landlord two-thirds of the purchase money, to be repaid in three years by instalments. The majority of smaller number of peasants have availed themselves of this privilege than was anticipated.

Free Libraries in England.

Since the passage of the second Reform bill, England has acted in more ways than one on Mr. Lowe's admonition to educate her masters. Among other agencies of popular instruction intended to supplement the school system, the establishment of free libraries has been urged with special earnestness and success. In respect of such a plan Great Britain is still, no doubt, far behind many of our Northern States; but

quite unable to avail themselves, and the importance of giving them equivalent opportunities was recognized by special legislation. By an act of Parliament it was provided that the ratepayers of any borough might, by vote, impose on themselves a tax for the purpose of creating free libraries. It is a noteworthy fact that in the local contests engendered by this law the larger ratepayers were almost uniformly on the side favouring the formation of a library at public cost, whereas the movement has usually been opposed and frequently defeated by the small ratepayers, who would have most to gain from such an institution. Just how many English towns have profited by the statute is pointed out by Prof. W. JEVONS in the current number of the *Quarterly Review*.

The indifference of the smaller townships in the British provinces toward this institution of public education, discreditable to the enlightened spirit even in England, seems to take on a liberal and progressive character in the United States. Almost total neglect of free libraries in London. We should bear in mind that the eighty-six provincial towns possessing such institutions contained at the last census less than 6,000,000 persons, whereas the population of 3,620,000 was embraced within the boundaries of the metropolis. In the whole of London, there is but one library supported by a tax upon the property-tax payers, and this has upon its shelves less than 12,000 volumes. There is, to be sure, free collection, the Guildhall library, supported by the funds of the city corporation, and the Arsenal library, which is maintained by private contributions. There is nothing at all comparable to

In England and Wales, and more than forty-four in Scotland. A careful record made at Manchester, where free books are perhaps more largely utilized than in any other English town, showed that every man, woman, and child of reading age visited the public libraries of that city on an average thirteen times in a twelvemonth. It is further noted, to demonstrate the low cost at which the people may be supplied with literature, that the average cost of issuing each volume to a reader was, at Manchester, less than six cents, at Birmingham less than four cents, and at Liverpool only about three cents. It is computed by Prof. Jevons that the whole annual expenditure on free libraries in Great Britain does not amount to more than half a million dollars, or one-fifth part of the cost of a single first-class ironclad.

Why Beecher's Revival has Failed.

Neither of the two rival revivals in Brooklyn has so far proved successful enough to satisfy those who are engineering them. TALMAGE, however, is far ahead of BEECHER in practical results accomplished, and more interest is displayed in his meetings.

One reason BRECHER gave for the failure of his revival was the more elevated tone of the community now as compared with 1857, for instance, when he was prominent in the Great Awakening, as it was called. What sort of elevation does he mean? There has rather been a revelation since those days, and the people are more intelligent and more righteousness the people listen to him with curiosity instead of conviction.

The reason why BRECHER's revival has fallen flat is because it is BRECHER'S. And at any time in the past a man who had been proved guilty of the behavior of which he has been convicted, would have tried in vain to work up a revival among those who were informed of his character. If BRECHER'S exposure had come before 1857, he would not now be able to talk of the prominent part he

Still, we must give thanks for every benefit, even if it is not all that is desired. It is very creditable to Brooklyn that the attempt to revive Beecherism has proved fruitless.

The Reward of Merritt.

That was rather a left-handed compliment which Mr. BLAINE paid to Gen. MERRITT when he shifted him from the first office in the country, outside of the Cabinet, and named him to be the successor of the illustrious BADGER, biographer and BOWELL of Gen. GRANT, and that, too, without asking his views.

his leave. If the Stalwarts were surprised at the nomination of Judge ROBERTSON, the Collector of New York must have rubbed his eyes in astonishment when he found himself gazetted as Consul at London. It was a Yankee trick all through, so that Mr. CONKLING should not be able to oppose ROBERTSON on the ground that MERITT was removed against the civil service rules, and long before his commission had expired.

Mr. BLAINE calls the appointment of General MERITT a promotion, but the letter cannot

If the dealers in dairy cheese are right in their assumption that the introduction of large quantities of foreign cheese into the American market will soon ruin the reputation of American cheese in foreign markets, besides disgusting cheese eaters at home, their indignation at the spurious product is well founded. The export trade in American cheese is enormous but the fame of American cheese is not sufficient to bring in enough of the foreign product to make it pay to mix it with domestic cheese. The dealers in dairy products at all desirable in Europe

The bill which has passed one branch of the Connecticut Legislature, prohibiting non-resident peddlers—not, however, including drummers who sell by sample—from doing business in that State, provokes some queer reflections. What would have become of many worthy Connecticut people in bygone years had Connecticut peddlers been prevented from selling their clocks, nutmegs, and other wares outside their own borders?

When Foster went to the Senate to make his dutiful compliments to John Sherman, he was welcomed with the freest cordiality of the arctic circle. The ex-Secretary was not only his old friend, but he had forgiven Foster's treachery at Chicago. And if he were inclined to relent, the recollection that Foster publicly accused him of leaving the hotel bill on his Presidential emissaries unpaid, which the Senate would not allow to be paid by the State, would rise up to refresh his wrath.

Sherman is master of the situation, and Foster is the man who has been made to feel that the lifting of his finger would have cost him the life of his child. He is a man, exiled, exiled by millions accumulated on the economies of his salaries as member of Congress and as Secretary of the Treasury.

But Barfield, moved the courage to confront him, and to tell him that he was not going to advance the ambition of Sherman. While Secretary of the Treasury, he had monopolized the Presidential aspirations, and he still holds in his hands the keys to the White House. He, as Senator, he can control confederations.

Foster's great power at present is to slung the charge of crime against the man who was a criminal in Ohio. But he is a promiscuous slinger of charges. He has been a witness as a country shopkeeper, and he is on the high seas of the Atlantic Ocean, and he is the uncertain President of the United States.

The new law was adopted before the recess by the joint vote of the National Council and of the States' Council, but it does not include the creation of a Federal bank which, in the general opinion of its partisans, would be invested with a special monopoly for the emission of bank notes. The debates have been very warm between the Centralists, all of whom belong to the Centre, and the Federalists, who are composed, for the greater part, of deputies from the French speaking part of the country. The Federalists are, however, not to be mistaken for the "Federalists" of the Centre, which, in their plurality, favored the schemes of the Federalists and contributed no less than five times in succession to the defeat of the Federalists in the central establishment of credit at Bern.

Chambers, Mr. Chouvenet, a well-known banker in Switzerland, and no important change in the strength of the Government. The members of the Federal Council of seven members (including the President of the Swiss Confederation, who enjoys no other special privilege than that of being elected for a longer term than the representatives of foreign countries) was completed by the election of a German Swiss, Mr. Hoffmann, to succeed the late Adenauer, who had resigned. Hoffmann having declined his nomination, the two Chambers elected in his stead a Deputy of the German Swiss, Mr. Kappeler. The new member is a Catholic, but was a supporter also by the Conservative Deputies of Geneva, Vaud, and Neuchâtel as a second representative of the German Swiss.

and rock, which threaten the comfort of families and miles, striking terror to the inhabitants and causing the people to be greatly alarmed for their homes and lives. As yet the flow of lava is not sufficient to indicate danger. The eruption is said to be a magnificent sight from the Upper States, distant about fifty miles, and which is admirably located to observe this wonderful phenomenon. The mountain looms up to the height of 12,000 feet and is clothed in white half way down its side.

Unnecessary Fears.
From the Boston City Herald.

The most immediate cause for Upton's suicide was the loss of his job as chief engineer of a sailing vessel. The man who had been the death of the ship which carried the engine to the United States Navy in San Francisco. He was told by the captain that the machine would not work smoothly, and after three days of the fluctuation or witnessing the saddest result killed himself. While it is true that he was taken to the grave because of estimation and died very reluctantly, the fact of being a failure, his work was mechanical triumph.

The Force of Habit.
From the New Herald.

Judge Tourgee is in Washington, looking for

Porte could neither take Crete nor any part of Thessalonica, is a virtual laying down of the card to be left to Greece. The latter is prepared to take, to the force of arms, the Turkish territory ceded to her by the treaty. From the inception of this naval demonstration before Dulcigno down to the present time, the negotiations between the powers and the Porte have proved very dull and a farce and very unprofitable as a serious effort to adjudicate the claims of Greece. The Turkish instead of being frightened at the hostile fleet as he should have been, became more dejected and than ever, and during the proceedings at the Conference in Constantinople he has shown

to annexation because it will deprive them of all hope of an autonomous government. Their powers were notified, therefore, that this proposition in its entirety could not be entertained. The great powers have been informed that the Soviet Government is not prepared to sacrifice the interests of the East than with the liquidation of the frontier question. The first consistent course of France and the pretensions of Austria have encouraged the Porto in these purposes to comply with the mandate which these powers themselves assisted in the execution of. The Soviet Government has been verbally given for Tunis, which the Soviet Government has been given her by the split. It is not by the letter of the treaty, the eye of the map. The Sultan has been opened anew to the unhappy

A fair sample of the class of mathematical conundrums to which the members of the confederating International Monetary Conference in Paris will be called upon to devote themselves may be inferred from the following discourse of the *London Daily News*: "Though these are times of progress, a dinner for which in England four shillings might be paid, would cost in Paris as Brussels a little less than five francs, in Holland about two guilders and a half, in Germany four reichmarks, in Russia two paper roubles, in America and the West Indies a dollar, in Greece a drachma, and in India a rupee."

submitted to the French Chambers a plan to classify and complete railways, navigable waterways and maritime ports. Immense sums will be used in the purchase of railways and in the construction of new ones. The French Government to bear the great debt, which yearly interest of which will amount to more than that of England and the United States combined, is one of the most interesting financial questions which can possibly be brought before the world.

Notwithstanding the fact that the French crop has failed for two years, the taxes are growing more and more productive, and the State receives more and more tribute. It has been accounted for by the fact that the tax

nal value of property in France has of late years been greatly augmented. As the taxes levied upon capital, and not upon revenue, yield is productive in proportion to the increased value of capital, which itself varies according to the value of money, and not according to the prosperity of trade and agriculture. The number of depositors in the savings banks, according to the statistics of the savings banks (*Caisse d'Épargne*), has been immensely increasing since 1872, as has also the average individual deposits.

It is to be regretted that the managers of the

The latest news of Paris fashions is that the dresses for the current year are to remain similar, in all important details, to those worn last year. There are to be no radical changes in the way of colors, or the expansion or lengthening of skirts. Indeed, short skirts will be more worn, and the neutral tints, olive, gray, gold and black, will continue to be the most popular. The mauve among the light shades, will be still in vogue. There is still the same aversion to be seen and all its tints. Bonnets are yet trimmed with scarlet. The wearing of gold ornaments of any kind is interdicted. Women dress with more freedom in France now than they were wont to do and more prettily. The demands of fashion are not so exacting as they were in the days of the Empress Eugénie. Then there was of one way of fitting garments, and no other mode

The season of Lent had hardly quenched its thirst for the carnival in Italy when a new and singularly different carnival of intense excitement was being staged on the island of Sicily, just outside the promontory of Naples, and forms one of the arms of the Italian peninsula. In the centre of the island rises Mount Vesuvius, and on the summit of which an ancient crater, Epomeo was at one time a great volcano. In the summer of 1901, when the whole island was devastated, the serious mishap has befallen the inhabitants. The island was looked upon as being as safe a place to live in as Naples, if not safer, on account of its greater distance from the great volcano Vesuvius. As soon as the summer came the thousands of tourists who flock to the island for the mildness of its climate, and the

This catastrophe will probably out an end of the kayser reasons Nice has known many years. The carnival would have equalled that of Rome had it not been for unpromising weather, which spoiled the outdoor processions of masquerade. Prizes given by the Carnival Committee for the original fooling, and the palm was carried by a man who played a whole orchestra by himself. A smaller prize was gained by a cartoon women dressed in lawyers' robes, who shout "We vote for divorce." The bachelors' was a great success, and was attended by all notabilities sojourning at Nice and the

tandards. Nicolini gave a farewell performance of "Traviata" for the benefit of the Pol Monacco. Twenty thousand dollars were given them for the performances they gave. Monte Carlo, and five thousand for their appearances at Nice. Patti sang as well as Nicolini and the rest did not please.

The gambling was expressed by the quarters of the gamblers who were coming in coming into vogue among the investors gamblers of employing professional managers keep their places and the ruin of the game there while they absent themselves. This was the people who play not for the fun of something from getting rich but for the purpose to Cannes and Montreux province got up to see the world and the money to express the gambling. They are praying family for to see those same things on portmanteau and

shrewdly suspected that the majority of subscribers to the petition were people who lost their fortunes, and thus endeavored to square with the game. During the campaign the cost of a bedroom at New Orleans was enormous; \$2 for a bedroom, \$20 for a suite, \$100 for a window with a view of the festival. These were ordinary prices, and were without a murmur.

N. L.

—Damiana Bitters—

is good for dyspepsia.—*Ed.*

Instead of trifling with a bad cold, use Dr. J. C. Ayer's pleasant, which will loosen the phlegm, soothe the inflamed, and certainly save your lungs and throat.

—At Mark's Creek, N. C., the Presbyterians support their church out of the proceeds of cotton on little patches of land set apart by each family for purpose. Mannied with system, the plan pays well.

—The Rev. Dr. Van Zandt of the Theological Seminary at New Brunswick is afflicted with cancer in the throat, which gives indications that it probably be fatal. The surgeons pronounce him beyond their help.

—The tower of St. Peter's Church in Albany cost \$40,000, and is the gift of one wealthy family.

—It was stated that the Rev. A. L. St. John of San Francisco was afflicted with autism of the mind, but that is not the case. He has been laid aside from a lateral duty by a strange disease, which sometimes paralyzes the mind and renders him motionless for a few days as clear as ever, and his friends are ho for his recovery.

—The Irish Presbyterians are again discussing whether it is right or wrong for a widower to marry the sister of his deceased wife. They are nearer the settlement of this troublesome question than they were when they began it, a great many years ago. There are so few men who want to make matrimony all right, that the discussion is a waste of time for most people.

—A liquor dealer in Brooklyn who converted and made profession of religion showed genuine character of his profession by emptying into the sea the contents of his barrel.

churches of nearly all the leading denominations, the aboriginal Maoris of that country are dying out. Civilization has been too much for them. They never were a very robust people. European stimulants have much to lower their standard of morals. They are less as to their food and clothing, and their personal life is unpleasantly filthy. In seventeen years Maori population has fallen off twenty per cent.

—The Ramapatnam Theological Seminary is a Baptist institution, where native Hindus are

ber of my friends have wondered how I can preach each Sunday during the existence of troubles that I suppose occupy all my energies. All I have to say is: I see nothing in the present state of affairs to prevent me from doing my duty. I am sure that God will finally deliver a sermon here before long. It is gratifying to know that the Young men will occupy the pulpit on the day, in which event the fish for seats will be greatly increased.

—The work of renewing and re-education.

Formerly due to the loss of The Young Men's Christian Association of London has been progressed that on the 1st of April, 1900, the first of the new series of meetings was held. The day which is fixed has chosen because it will be the fifty years since Dr. Hall was first dedicated to public work as a hall for the purpose of holding religious meetings. The Young Men's Christian Association of London has been organized to preserve it as a headquarters of religious education and to build up a new series of religious education. The old building has been modernized and furnished with what is needed in the way of improvement for its use as a meeting room, including an extensive system of ventilation.

Church, Ft. Lake, consenting to officiate as minister. The new mission church is now finished. Its total cost, including the purchase of the site, is \$125, and besides being used for church will also be the school house, and the dwelling for the missionary. There are forty little white children of the district, and up to the age of fifteen, but only Mr. Smith hopes to instruct in the rudiments of orthodox schooling. Back Point is thirty miles north of Ft. Lake, and consists of several dozen dwellings, in which are wigwags.

—This is the "off day" in Sunday school study, being the last Sunday in the first quarter of the year. By the plan of the International Lesson series, the study of a lesson is left to each school, the supply of which generally is the omission of all lesson study for

[illegible]

shows a great deal of interest in the subject. With the exception of a very minor misquoting, and what may be other questionable editorial choices, the general quality of the performance is very commendable. The general reader will be able to follow the book's argument. At the same time, the book is not so well written as it could have been. The author's style is uneven. A shortcoming revealed is that the revised version for the paperback edition of *Black man's boy* and its subsequent early reprinting with a new foreword and a further note at the end of the text, neither acknowledged nor stated the status of the 24-year-old edition. In the meantime, the vast majority of American youth as well as adults. It was not difficult to find the cause of the revised version for a dozen years that it sat in such botched form as contemplated in the